

BOROUGH OF CRESSKILL

ORDINANCE NO. 00-18-1226

AN ORDINANCE AMENDING CHAPTER 58 OF
THE CODE OF THE BOROUGH OF CRESSKILL

WHEREAS, the Mayor and Council of the Borough of Cresskill wishes to amend Chapter 58 of the Code of the Borough of Cresskill to conform with Senate Bill #692 passed by the Legislature, regarding underage drinking on private property.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill in the County and State of New Jersey, as follows:

SECTION I

Section 58-16 – Violations and penalties (Amended 1-1-1981 by Ord. No. 80-23-780: 11-8-1989 by Ordinance No. 89-18-1021) shall be amended as follows:

- A. Any person under the legal age to purchase alcoholic beverages who knowingly possesses or consumes any alcoholic beverage in or on any school property, public conveyance, public place or place of public assembly or on private property shall be in violation of this Article. Upon conviction, such underage person shall be subject to a fine of two hundred fifty dollars (\$250) for a first offense and three hundred fifty dollars (\$350) for any subsequent offense; perform community service for a period not to exceed one hundred eighty (180) days; at the discretion of the court, have a New Jersey driving privilege suspended or postponed for six (6) months; and, if considered necessary by the court, be referred to an alcohol treatment program at the defendant's expense.
- B. This Article shall not apply to persons under the legal age to purchase alcoholic beverages who possess or consume alcoholic beverages in the presence of and with the permission of the parent or legal guardian of said person, provided that said guardian is of the legal age to purchase alcoholic beverages, or if alcoholic beverage is being consumed in any religious observance, ceremony or rite. The Article shall not apply to possession of an alcoholic beverage by an underage person employed by an alcoholic beverage licensee in the course of performing employment duties.

SECTION II

If a court of competent jurisdiction adjudges any section, clause or provision of this Ordinance unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.

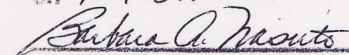
SECTION III

All ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION IV

This Ordinance shall take effect immediately upon final passage and publication according to law.

Certified copy
adopted by the
Mayor & Council
Borough of Cresskill
on 10-4-2000


Barbara A. Provo
Borough Clerk